

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Stephen MARTONE
Serial Number: 10/572,188
I.A. Filing Date: September 20, 2004
For: **Braided Minimally Invasive Channel**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371
IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

This is a response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) mailed on September 25, 2006.

Enclosed herewith for filing are the following:

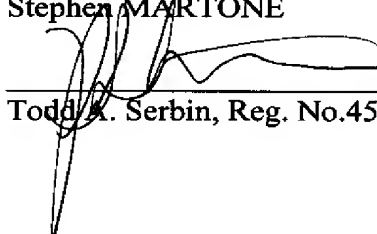
- A copy of the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US).
- A properly signed declaration in compliance with 37 CFR 1.497(a) and (b).

This is a request under the provisions of 37 C.F.R. §1.136(a) to extend the period for filing a response to the above-identified Notification of Missing Requirements Under 35 U.S.C. §371. The requested extension is for one month, from November 25, 2006 until December 25, 2006. Enclosed herewith by deposit account authorization is an extension fee of \$60.00. If an additional time extension is required, please consider this a petition therefore.

REMARKS

Please see attached transmittal letter for deposit account authorization.

Respectfully submitted,
Stephen MARTONE



Todd A. Serbin, Reg. No.45,087

December 11, 2006

William H. Dippert, Esq.
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UNITED STATES PATENT AND TRADEMARK OFFICE

FEN021-235269

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
|-----------------------------|-----------------------|------------------|
| 10/572,188 | Stephen Martone | 38605145 |

| INTERNATIONAL APPLICATION NO. |
|-------------------------------|
|-------------------------------|

PCT/US04/30807

| LA. FILING DATE | PRIORITY DATE |
|-----------------|---------------|
| 09/20/2004 | 09/18/2003 |

44909

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 NEW YORK, NY 10177

Wolf Block

OCT 02 2006

Received

CONFIRMATION NO. 2613

371 FORMALITIES LETTER



OC000000020564556

Date Mailed: 09/25/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 03/15/2006
- Copy of the International Search Report filed on 03/15/2006
- Preliminary Amendments filed on 03/15/2006
- Oath or Declaration filed on 03/15/2006
- Small Entity Statement filed on 03/15/2006
- Request for Immediate Examination filed on 03/15/2006
- U.S. Basic National Fees filed on 03/15/2006
- Priority Documents filed on 03/15/2006
- Specification filed on 03/15/2006
- Claims filed on 03/15/2006
- Abstracts filed on 03/15/2006
- Drawings filed on 03/15/2006

Due 11/25/06 EMC-P

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

VONDA M WALLACE

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PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/572,188 | PCT/US04/30807 | 38605145 |

FORM PCT/DO/EO/905 (371 Formalities Notice)